

## Horowitz, Andrew

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**From:** Horowitz, Andrew  
**Sent:** Wednesday, April 1, 2020 4:13 PM  
**To:** 'Corl, Christina'  
**Cc:** Fox, Bruce; Chen, Qiwei  
**Subject:** RE: Rule 26 Report of Parties Huang v. OSU.DOCX

Understood. Please just do what you can.

### Andrew J. Horowitz, Esquire

#### Obermayer Rebmann Maxwell & Hippel LLP

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**From:** Corl, Christina <CCorl@plunkettcooney.com>  
**Sent:** Wednesday, April 1, 2020 4:11 PM  
**To:** Horowitz, Andrew <Andrew.Horowitz@obermayer.com>  
**Cc:** Fox, Bruce <bruce.fox@obermayer.com>; Chen, Qiwei <qawei.chen@obermayer.com>  
**Subject:** Re: Rule 26 Report of Parties Huang v. OSU.DOCX

OSU IT will be collecting data

The is no possible way in the universe that I can have answers to the rest of your questions any time soon, let alone in less than 24 hours, but I will ask.

Sent from my iPhone

Christina L. Corl  
Plunkett Cooney  
Direct dial: 614-629-3018  
Cell: 614-309-9212

On Apr 1, 2020, at 3:46 PM, Horowitz, Andrew <[Andrew.Horowitz@obermayer.com](mailto:Andrew.Horowitz@obermayer.com)> wrote:

**[EXTERNAL]**

Christina,

Let's discuss this further on our call tomorrow. In advance of the call, it would be helpful if you could get answers to the following questions, which are provided by our ESI support team:

- Do you intend to use a forensic consultant to assist with collecting the data?
- If not, what tools are you using internally to collect the data?
- How do your consultants or internal personnel connect to OSU's systems?
- Are there any potentially relevant files that are not in a data cloud?
- What systems do you believe that it will be necessary to collect data from?

Thanks.

Andrew

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**From:** Corl, Christina <[CCorl@plunkettcooney.com](mailto:CCorl@plunkettcooney.com)>

**Sent:** Wednesday, April 1, 2020 10:27 AM

**To:** Horowitz, Andrew <[Andrew.Horowitz@obermayer.com](mailto:Andrew.Horowitz@obermayer.com)>; Fox, Bruce <[bruce.fox@obermayer.com](mailto:bruce.fox@obermayer.com)>; Chen, Qiwei <[qiwei.chen@obermayer.com](mailto:qiwei.chen@obermayer.com)>

**Subject:** RE: Rule 26 Report of Parties Huang v. OSU.DOCX

Counsel, thank you.

First, let's remember that a very significant part of any delay in this case was caused directly by Plaintiff filing it in an improper venue.

Second, you are correct that University employees are teleworking. The problem we have been encountering is that, in many cases, employees do not have access remotely to University files. In addition, there is a big part of discovery in this case that will need to be worked on by IT and that process is extremely slow because of teleworking.

Third, the dates suggested by Defendants are squarely within reasonable times for all cases, and this is a case where Plaintiff intends to take an extraordinary number of depositions.

If you do not agree to the dates that are recommended, then we can just put both Plaintiff and Defendant dates in the Rule 26 report and then request an actual conference with the Court and let the Court decide on the dates.

Please advise.

**Christina L. Corl**

Plunkett Cooney

Attorneys & Counselors at Law

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[<image002.jpg>](#)

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**From:** Horowitz, Andrew [<mailto:Andrew.Horowitz@obermayer.com>]

**Sent:** Wednesday, April 1, 2020 9:56 AM

**To:** Corl, Christina; Fox, Bruce; Chen, Qiwei

**Subject:** RE: Rule 26 Report of Parties Huang v. OSU.DOCX

[EXTERNAL]

Christina,

I need some clarification on why exactly you believe that the university is not in a position to respond to discovery—particularly written discovery—in the immediate future. My understanding from OSU's website is that the university is "open for business" with employees required to work from home. See <https://wexnermedical.osu.edu/features/coronavirus/staff-and-students> (under "Information for faculty and staff"). I don't see how OSU should be prevented from completing initial disclosures, responding to interrogatories, or producing documents (particularly electronic documents) during this time.

I anticipate that things will have normalized by the time we start taking depositions, but in any event, virtual depositions are also an option and most deposition vendors are providing this service for no additional fee.

We're willing to work with you in good faith regarding the discovery schedule, but please understand that Ms. Huang filed this case on August 31, 2018, and has been prevented from taking discovery until now due to your unsuccessful motion to dismiss. We intend to move forward with discovery expeditiously, and will not tolerate being stymied by claims of a COVID-related "shutdown" that are contradicted by OSU's own website. I understand that this is a special and unprecedented time. We are trying to be reasonable, but we need to find a fair balance. Please explain if you think that I am missing something.

Andrew

**Andrew J. Horowitz, Esquire**

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**From:** Corl, Christina <[CCorl@plunkettcooney.com](mailto:CCorl@plunkettcooney.com)>

**Sent:** Wednesday, April 1, 2020 7:33 AM

**To:** Horowitz, Andrew <[Andrew.Horowitz@obermayer.com](mailto:Andrew.Horowitz@obermayer.com)>; Fox, Bruce <[bruce.fox@obermayer.com](mailto:bruce.fox@obermayer.com)>; Chen, Qiwei <[qiwei.chen@obermayer.com](mailto:qiwei.chen@obermayer.com)>

**Subject:** RE: Rule 26 Report of Parties Huang v. OSU.DOCX

My comments are attached.

Please note: the University is shut down for the foreseeable future because of COVID. That is going to impact the discovery dates proposed by Plaintiff, which were rather optimistic to begin with.

[!\[\]\(b64b40baaee5acddc1eab8538ba84754\_img.jpg\)](#)

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**From:** Horowitz, Andrew [<mailto:Andrew.Horowitz@obermayer.com>]  
**Sent:** Tuesday, March 31, 2020 8:12 PM  
**To:** Corl, Christina; Fox, Bruce; Chen, Qiwei  
**Subject:** RE: Rule 26 Report of Parties Huang v. OSU.DOCX

**[EXTERNAL]**

Counsel,

I have attached our proposed Rule 26(f) report. We were already working on a draft when you sent me your draft this afternoon, but we did review the dates you included, so please consider this to be our counter-proposal in that regard.

Talk to you Thursday.

Andrew Horowitz

**Andrew J. Horowitz, Esquire**

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**From:** Corl, Christina <[CCorl@plunkettcooney.com](mailto:CCorl@plunkettcooney.com)>  
**Sent:** Tuesday, March 31, 2020 1:14 PM  
**To:** Fox, Bruce <[bruce.fox@obermayer.com](mailto:bruce.fox@obermayer.com)>; Horowitz, Andrew <[Andrew.Horowitz@obermayer.com](mailto:Andrew.Horowitz@obermayer.com)>; Chen, Qiwei <[qiwei.chen@obermayer.com](mailto:qiwei.chen@obermayer.com)>  
**Subject:** Rule 26 Report of Parties Huang v. OSU.DOCX

Counsel, I just found this is my file. Looks like I put it together at the time our last conf was sent.

I think we will have to adjust some dates, but this is a start.

Talk to you on Thursday.

[<image002.jpg>](#)

**Christina L. Corl**

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